The Pittsburgh Gazette.

SATURDAY, August 31, 1799.

Vol. II. No. 67

PITTSBURGH: PRINTED BY JOHN SCULL, IN FRONT STREET, NEXT DOOR TO THE CORNER OF MARKET-STREET.

TOWN OF PULTNEY,

LAID off on the lands of Robert Troup, Esq. of the city of New York, by Daniel Miller, his attorney in fact, in Jefferson county, in the North Western Territory of the United States. This Town is fituated on the Western bank of the Ohio river, about eight miles above Wheeling, and twenty miles below Steubenville, the present seat of justice of that county. For its situation and local advantages, there is no room to doubt that it will become the seat of justice of a county, to be formed of part of Jefferson and part of Washington counties, at the next division, which will be in 1800 or 1801. The Town extends three quarters of a mile in front upon the river—it is bounded in front upon the river—it is bounded in rear by a fine navigable creek, which affords an excellent harbour, and on which there is a convenient landing. The Town is divided into Lots, of which the Town contains about two hundred, a considerable part of which is built on, and the remainder will be built on and settled. This tract is laid off in Out-Lots of about 16 Lots, and each Out-Lot contains about 16 acres, in figure as may be convenient for the purchasers, in which there are three lots for the use of the Town. Each Out-Lot contains 16 Lots, and each Lot contains 16 acres.

The Lots and Out-Lots will be offered for sale on the Premises on the 22d day of August next, at Wheeling on the 23d at Charlestown, on the 24th at Washington on the 26th, and at Pittsburgh on the 2d of September—the half of the purchase money will be credited 30 days, and the other in one year.

There are two excellent streams of water in the town—a Mill seat on each creek, one four miles from the Town and the other about two miles from the Town of Pultney, on which there is a good and well situated Grist Mill. Each Lot will be conveyed by a good and sufficient deed from Robert Troup, Esq. There are 50 Lots reserved, which are in addition to the 800 for sale. Each Lot is to be settled and improved as follows, viz. within 18 months from the date of the deed, a house 18 feet square, with a stone or brick chimney, and 10 acres cleared and fenced.

ROBERT TROUP, by
DANIEL MILLER, his Attorney.

July, 1799.

N. B. A Plan of the Town and Out-Lots may be seen at Mr. GOODEN'S, Wheeling, and at M. MORROW'S, Pittsburgh.

The subscriber has also for Sale, 5000 acres of Land lying in the township in which the Town of Pultney stands, which he will dispose of on reasonable terms. Also, 3000 acres of land on Indian creek, a north west fork of the river Ohio, which he will sell on moderate terms—also, two shares of Land, in two tracts, in Favette county, and state of Kentucky. For further particulars apply to the subscriber at Thomas Digman's, between Col. Heaslop's and Mr. Moody's Coves, which are there, at Wheeling.

DANIEL MILLER, IV.

Auction of Books.

WILL be sold, on Wednesday the 4th day of September next, at the house of Wm. Morrow, in Pittsburgh, a valuable collection of new

BOOKS,

consisting of Law, Physic, Mathematicks, and Divinity—also, a number of Maps and Wall Arts, &c.

Pittsburgh, August 21, 1799.

WHEREAS the subscriber gave two bonds for Fifty Dollars each, and on one of which there is a credit of 26 dollars, to Joseph Willoughby, living on the west side of the Allegheny river, in Allegheny county, in consideration of a tract of land, and whereas the said Willoughby cannot make me a title according to bargain, I forewarn all persons from taking an assignment on said bonds, as I am determined not to pay them, until he fulfils his bargain, or I am compelled by law.

BENJAMIN CUNNINGHAM.

August 21, 1799.

WHEREAS the subscriber gave a bond for one hundred dollars, to certain Robert Willoughby, lying on the west side of the Allegheny river, in Allegheny county, in consideration of a tract of land, and whereas the said Willoughby cannot make me a title according to bargain, I forewarn all persons from taking an assignment on said bond, as I am determined not to pay it, until he fulfils his bargain, or I am compelled by law.

JOSEPH HENNON.

August 21, 1799.

To be Let or Sold,

And possession given the first of November.

A GRIST MILL, and FARM, situate on Street's Run, within half a mile of the Monongahela river, and six miles from Pittsburgh, now occupied by Henry Wolf. For terms apply at the Store of

DENNY AND BEELEN.

Pittsburgh, August 26, 1799.

NOTICE.

ALL persons indebted to *DENNY & BEELEN* are requested to make payment before the 10th of next month.

Pittsburgh, August 10, 1799.

WILLIAM CHRISTY,

Has just received a fresh supply of

GOODS,

which he will sell at the most reduced prices for Cash, &c.

Pittsburgh, August 10, 1799.

Treasury Department,

MARCH 16, 1799.

Public Notice is hereby given,

Pursuant to the Act of Congress passed on the 1st day of June, one thousand seven hundred and ninety six, entitled "An Act regulating "the grants of land appropriated for military "services, and for the society of United Bre"thren for propagating the gospel among "the Heathen;" and the Act supplementary to the said recited Act passed on the second day of March, one thousand seven hundred and ninety nine—to wit,

I.

THAT the tract of Land hereinafter described namely, 'beginning at the north west corner of the seven ranges of townships, and running thence fifty miles due south, along the western boundary of the said ranges;—thence due west to the main branch of the Scioto river; thence up the main branch of the said river to the place where the Indian boundary line crosses the same—thence along the said boundary line to the Tuscaroras branch of the Muskingum river at the crossing place above Fort Lawrence—thence *down* the said river to the point where a line run due west from the place of beginning, will intersect the said river; then along the line so run to the place of beginning,' has been divided into townships of five miles square, and fractional parts of townships: and that plats and surveys of the said townships and fractional parts of townships are deposited in the offices of the Register of the Treasury and Surveyor General, for the inspection of all persons concerned,

II.

The holders of such warrants as have been or shall be granted for military services performed during the late war, are required to present the same to the Register of the Treasury, at some time prior to the twelfth day of February, in the year one thousand eight hundred, for the purpose of being registered; NO registry will however be made of any less quantity than a quarter township, or four thousand acres,

III.

The priority of location of the warrants which may be presented and registered in manner aforesaid, prior to the twelfth day of February in the year one thousand eight hundred, will immediately after the said day, be determined by lot, in the mode prescribed by the act first recited.

IV.

The holders of registered warrants, shall on Monday the 12th day of February, in the year 1800, in the order in which the priority of location shall be determined by lot as aforesaid, personally or by their agents, designate in writing at the office of the Register of the Treasury, the particular quarter townships elected by them respectively, and such of the said holders as shall not designate their locations on the said day, shall be postponed in locating such warrants to all other holders of registered warrants.

V.

The holders of warrants for military services sufficient to cover one or more quarter townships or tracts of four thousand acres each; shall at any time after Monday the 17th day of February 1800, and prior to the next day of January 1802, be allowed to register the said warrants in manner aforesaid, and forthwith to make locations therefor on any tract or tracts of land not before located.

VI.

All warrants or claims for lands on account of military services, which shall not be registered and located before the first day of January 1802, are by the supplementary act of Congress herein before recited, passed on the second day of March, 1799, declared to be forever barred.

Given under my hand at Philadelphia, the day and year above mentioned.

OLIVER WOLCOTT,
Secretary of the Treasury.

Four Dollars Reward.

STRAYED from the commons of Pittsburgh, on Thursday four weeks, a bright bay HORSE, has a large star in his forehead, switch tail, no mane, a large scar on his wither, occasioned by the cut of a rope, one white foot, between 13 and 14 hands high, shod all round. Whoever takes up said Horse, and brings or gives notice to *John Reed*, tavern keeper in Pittsburgh, so that the subscriber may get him again, shall have the above reward and reasonable charges paid by

HENRY SHAVER.

August 19, 1799.

Came to the plantation of the subscriber, living on Peter's creek, about the 27th of July last, a dark iron grey Mare, about 14 hands high, neither docked, nor brand perceivable, about 6 or 7 years old, a natural trotter, has been shod all round. The owner is desired to come, prove property, pay charges and take her away.

LEWIS HOFFMAN.

Mifflin township, Allegheny county,
August 22, 1799.

Donation Lands.

NOTICE is hereby given that claims for DONATION LANDS granted by the State of Pennsylvania to the Officers and Soldiers of the line belonging to the said State in the late war, will be received at the Office of the Comptroller General of said State until the 1st of September next, inclusive, and that the subscribers, authorized by law, will sit as a Board at said Office on every Monday, from ten o'clock in the forenoon until one in the afternoon, to hear and determine all unfinished claims already filed, as well as those which may be filed on or before the said first day of September next.

JOHN DONNALDSON, Comptroller.
SAMUEL BRYAN, Register.
PETER BAYNTON, Treasurer.

Department of Accounts of Pennsylvania, May 15, 1799. } tf.

Just arrived and for Sale, a quantity of Excellent

FINE SALT,

at JAMES O'HARA'S.

Pittsburgh, May 10, 1799.

NOTICE.

A LARGE quantity of *RIFLE GUNS*, will be exposed to sale at public auction, at the the Market House, in Pittsburgh, on Tuesday the 3d day of September next, at six months credit, giving approved security. The sale will begin at ten o'clock in the morning, and continue from day to day till they are all sold—attendance will be given by

JOHN WILKINS.

August 15, 1799.

To be Leased,

AND possession given the 1st of October next, for one year, or any term of years, the FARM which I now occupy, containing upwards of 200 acres, lying on Racoon creek, 40 acres cleared and under good fence, about 8 acres of which is meadow, and a large quantity more can be made on the creek bottom: there is also a young bearing orchard of 50 apple trees, besides a number of peach trees. House, Corn, and sundry Farming Utensils will be sold on the premises, by vendue, on the 10th of September next, for which a generous credit will be given.

ALEXANDER SPEER.

Racoon, August 1, 1799.

BRITISH FRIGATE HERMIONE.

It is known to the public, that in the month of September, 1797, a mutiny took place on board the British frigate Hermione, capt. Pigott, which terminated with the death of the captain, and the capture of the vessel by the crew, who carried her into a Spanish port. Since this period, the certain hand of justice has overtaken several of the perpetrators of this heinous act of piracy and murder. By a lengthy publication in the Charleston papers, it appears, that a demand has been made by the British consul at that place, for the delivering up of a certain Jonathan Robbins, alias Thomas Nash, who served on board the Hermione at the time of the mutiny, and who is accused of being implicated therein. This demand is grounded on the 27th art. of the late British treaty, which stipulates, that the contracting parties "will deliver up to justice all persons, who being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other"—In consequence of this demand, the question of delivery was tried in the city of Charleston the 25th ult. in the District Court of the United States, before his honor Judge Bee. Mr. Ker and Col. Moultrie were counsel for the prisoner, and exerted themselves in his behalf, with great skill, much eloquence, and an abundant variety of reasoning. The counsel for the British claim, was Mr. Ward, who did equal credit to the cause, in which he was engaged. After a lengthy and full discussion, Judge Bee summarilized the case, and delivered his judgement in the following terms:

"The question on which I am now to give a decision, is grounded on a *habeas corpus* to bring the prisoner before me; on motion by counsel on behalf of the representations of the Consul of his Britannic Majesty, the officer authorized by treaty to make the requisition, that the prisoner, charged with murder committed within the jurisdiction of Great Britain, should be delivered up to justice, in virtue of the 27th article of the treaty of amity and commerce between the United States and Great Britain, signed the 19th of November, 1794.

"Objections have been made by counsel on behalf of the prisoner to this motion, on a variety of grounds; and this case has been very fully argued on both sides.

"Two papers have been produced on behalf of the prisoner: one, a certificate from a notary public at New-York, dated 20th May, 1795, that Jonathan Robbins a mariner, had that day deposed on oath before him, that he the said Jonathan Robbins was a citizen of the United States and a native of Connecticut, the other is an affidavit of the prisoner, made in open court, that he is a native of Connecticut, and that about 8 years ago he was impressed from the brig Betsey, Newby master, on board the British frigate Hermione, and was detained on board it against his will, until the vessel was captured by the crew, and carried into a Spanish port, and that he gave no assistance.

"The question before me has been opposed on various grounds. It is contended, that it is a question of consequence whether a citizen of the United States shall be tried by a jury of his own country, or in a foreign one: That the 27th article of the treaty, on which this motion is founded, is contrary to the constitution of the United States, and therefore void; that the treaty only relate to foreigners: that the fact in this case being committed on the high seas, the courts of the United States, have competent jurisdiction, that a grand jury ought to make inquest, before a party shall be sent away for trial.

"It was also contended, that this would strike at the root of the liberties of the people: that the constitution secured the right of trial by jury of the citizens, and that treaties and laws also that, were of subordinate authority, and of course void; that the treaty making power may be defined; and it could never give authority to seize a person and send him away for trial.

"It was also contended, that this is not an offence within the contemplation of the treaty, the word jurisdiction, means territorial jurisdiction, and that they must be confined to offences committed within the territory of either; that sending a person in confinement to be tried in foreign countries, is a punishment and not to be inflicted on a citizen; that the treaty is void without a hearing, depositions; that the affidavits do not come up to the point, and are not sufficient to prevent the party being entitled to good bail.

"These were the points on which the objections to this motion were argued. In the course of arguments, we heard pathetic appeals to the feelings made on behalf of the old grounds of opposition to the treaty, which I endeavoured to check, because, as this treaty has been ratified agreeable to the express provisions of the constitution, and is therein declared to be the supreme law of the land, and I most gravely and solemnly bound by the oath I have taken to administer justice according to the constitution and laws—it is not in my power, nor is it my inclination ever to deviate therefrom.

"If we attend to the constitution, and amendments which are now part of it, we find, that all the criminal prosecutions and trials for enemies by a jury, are expressly limited to crimes committed within a state or district of the United States. Indeed, reason and common sense point out that it should be so: for, what controul can the laws of one nation have on offences committed in the territories of another? It must be remembered also, that in the 7th article of the amendments, where it is provided that no person shall be held to answer for a capital offence, unless on a presentment by a grand jury, an exception is made to cases arising in land or naval service, or even in the militia when in actual service, in time of war or public danger.

"This shews unequivocally, that trials by jury may be dispensed with, even for crimes committed within the United States; and these observations are at once an answer to all the arguments founded on the right to trial by jury, they being strictly limited to crimes committed within the United States, and even then with some exceptions.

"The objections made to the treaty's being contrary to the constitution, have been so often and so fully argued, and refuted, that I was in hopes no time would have been occupied on that subject, more especially as that treaty has been recognized by the Legislature of the United States, and is now in full operation. It is remarkable, that in the midst of all the warmth against the treaty at its first publication, the 27th article was one of the few that was never excepted to, and I believe this was the first instance in which it has been held out as dangerous to liberty.

"The crime of murder is justly reprobated by all countries; and in commercial ones the crime of forgery is so dangerous to trade and commerce that provision has been made in various treaties for delivering up fugitives from justice for these offences; and many instances may be produced of criminals sent back to be tried where the crime was perpetrated.

"What says the 27th article of the treaty now under consideration? In the first place it is founded on reciprocity; in the next, it is agreed that all persons who being charged with murder or forgery, whether citizens, subjects, or foreigners

"It is for the furtherance of justice between the culprits would otherwise escape punishment, no prosecution will be against them in the country; and if it did, it would be difficult to procure evidence to convict, or acquit.

"The principle then being the same, and one being expressly founded on the constitution and laws of the United States, no solid objection can lie against this clause of the treaty.

does it make any difference, whether the offence is committed by a citizen or any other perſon. This will obviate the objection made by the counſel on that head. And I cannot but take this occaſion to obſerve, that the two papers produced by the priſoner, are only affidavits of his own, or a certificate founded on affidavit, which are not evidence; and if they were, prove little or nothing. It is ſomewhat remarkable, that a man of the name of Jonathan Robbins, with the paper produced in his poſſeſſion, ſhould continue on board a Britiſh frigate for a length of time, under another name, and acting as a warrant officer, which impreſſed men are not likely to be entruſted with, and that he ſhould afterwards take the name of Nathan Robbins, and lay in jail here 5 or 6 months, without the circumſtances being made known until now.

"All arguments againſt delivering up the priſoner ſeem to imply, that he was to be puniſhed without a trial, the contrary of which is the fact: we know that no man can be puniſhed by laws of Great Britain without a trial. If he is innocent, he will be acquitted; if otherwiſe, he muſt ſuffer. This would be the caſe here, under ſimilar circumſtances.

"The objection moſt relied on againſt this motion, is to the word juriſdiction, in the 27th article of the treaty, and that the crime being committed on the high ſeas, the courts of the United States have a concurrent juriſdiction. There is no doubt that the circuit courts of the United States have a concurrent juriſdiction, and this riſes under the general law of nations; and if the 27th clauſe of the treaty in queſtion had not expreſsly declared the right to demand, and the obligation to deliver over, the priſoner muſt have been tried here.

"With reſpect to the meaning of the word juriſdiction, I think the caſe quoted from Vattel, Book I. C. 19. Sec. 216. is concluſive, and this is corroborated by Rutherford, Book 2. Ch. 9. as to the juriſdiction over the men on board the veſſel; and the clauſe itſelf ſeems to have contemplated this, becauſe the word juriſdiction is uſed diſtinctly from countries in the next line; and this ſhews, that territorial juriſdiction, as contended for, cannot apply to the preſent caſe.

"When application was firſt made, I thought this a matter for the executive interference, becauſe the act of congreſs reſpecting fugitives from juſtice, from one ſtate to another, refers it altogether to the executive of the ſtates; but as the law and the treaty give preſent juriſdiction, recurrence muſt be had to the general powers veſted in the judiciary by law and the conſtitution, the 3d article of which declares the judicial power ſhall extend to treaties, by expreſs words.

"The judiciary have in two inſtances in this State, where no proviſions were expreſsly ſtipulated, granted injunctions to ſuſpend the ſale of prizes under exiſting treaties, ——if it were otherwiſe there would be a failure of juſtice.

"I have carefully reviewed the arguments advanced by the counſel for the priſoner. I have looked into the conſtitution, the treaty, the laws, and the caſes quoted; and upon a full inveſtigation of them all, I am of opinion, that from the affidavits filed with the clerk of the court, there is ſufficient evidence of criminality to juſtify the apprehenſion and the commitment of the priſoner for trial, for murder committed on board a ſhip of war belonging to his Britannic majeſty, on the high ſeas: that requiſition having been made by the Britiſh conſul, the officer authorized to make the ſame, in virtue of the 27th article of the treaty of amity and commerce between the United States and Great Britain, I am bound by the expreſs words of that clauſe of the treaty, to deliver him up to juſtice. And I do therefore order and command the marſhal, in whoſe cuſtody the priſoner now is, to deliver the body of the ſaid Nathan Robbins, alias Thomas Nash, to the Britiſh conſul, or ſuch perſon or perſons as he ſhall appoint to receive him."

The judgment being pronounced, the court was immediately adjourned; the irons were replaced on the priſoner, and he was delivered over by the conſtables, to a detachment of federal troops, who had before been placed under arms to eſcort the court houſe, and had continued there during the ſitting of the court. The troops immediately delivered up the priſoner to Lieut. Kemp, of his Britannic majeſty's ſloop Sprightly, then lying in the harbour, and which ſailed with the priſoner for Jamaica.

Foreign Intelligence.

RATISBON, May 22.

SECOND PROCLAMATION

General Suwarrow to the Inhabitants of Piedmont.

Senſible of the neceſſity of eſtabliſhing public order in theſe provinces, happily re-conquered by the combined Auſtro-Ruſſian forces, and conſidering it as a duty not only to watch over the diſtribution of juſtice, but alſo to maintain in activity all the branches of public economy and adminiſtration, on the footing and according to the ſyſtem eſtabliſhed by the late government of his majeſty the King of Sardinia, we order as follows:

1ſt. The laws and political and civil eſtabliſhments which exiſted before the order of things which has juſt ceaſed, are to remain in force.

2dly. Lieutenant General Baron Latour is inveſted by us with the moſt extenſive powers, to make all the diſpoſitions he ſhall think neceſſary, as well in the military as in the civil and economical departments, and appoint perſons who ſhall be deemed, on account of their probity and talents, the fitteſt to fill the places. 3dly. The perſons appointed by Lieutenant General Baron Latour, ſhall exerciſe all the functions enjoined to them, conformably to the aſcertained

LONDON, June 11.

In Switzerland, it is ſaid, the proviſions of the French army muſt have been completely cleared from the country, which muſt have garriſoned all the fortreſſes, which no doubt not be known. It appears there was a ſevere battle on the 4th, the conſequence of which was, that the whole French army on the Linth, and left Zurich entirely expoſed, which they evacuated on the 5th, and were taken poſſeſſion of by the Auſtrians on the 3rd of May. The poſt occupied by the French according to the laſt accounts was ſtrong enough ſuch as might enable Maſſena to protect the French frontiers till reinforcements arrive.

June 12.

Other letters ſtate very obſtinate engagements near Mentz, on the 15th of May, in which the French attacked and fought with great bravery, but were overcome at laſt, loſt 3000 men killed and wounded, and 3000 priſoners. The Imperialiſts, with the Pruſſian contingents, took the town and citadel of Turin.

The Court Gazette of Vienna, May 29, is ſilent reſpecting the above victory of the 15th of May, but it is given to circumſtantially by private letters which come in a direct courſe thro' Germany, that it may be expected Government will ſpeedily receive the official documents of the fact, in addition to thoſe which relate to the French in Switzerland.

We further learn from the London Gazette of laſt Night, which contains a ſhort dispatch from Sir Morton Eden, of one day later date than the accounts via Vienna, by the Mails, that the citadel of Milan ſurrendered on the 24th ultimo. Peſchiera, Caſale and Coni, have alſo been taken.—Thus we are enabled to account for the retreat of Moreau to Coni, who by this time it is probable, has been driven entirely out of Piedmont; after, he muſt have ſucceeded in forming a junction with Macdonald, which, however, will be the more difficult to effect, as the Auſtrians have moved to join the Ruſſians on the Oglio.

The ſituation of the French in Syria appears to be as ſtated, fully confirmed by the letters from Conſtantinople of a very late date.

The following letter to Col. Sheaffe, is a proper example of the ſtyle in which Field-Marſhal Suwarrow frames his military orders.—"Immediately after receiving theſe diſpatches, you are to break up, with all precaution, to paſs the Veron in the Venetian, and to take poſt at Treviſo. This order was ſucceſsfully obeyed.

American Intelligence.

SAVANNAH, July 20.

Laſt Saturday put in here in diſtreſs, the ſhip Little Fanny, of St. Thomas's, in 10 days from Cape Francois: brings accounts of proviſion being very ſcarce: Every thing quiet at the Cape—General Toufſaint at the time this veſſel left the iſland was at Port au Prince, having had recently an engagement with Rigaud, in which many lives were loſt on both ſides, though the former in the end was victorious. No talk of any treaty with the Engliſh, the people being averſe to it.

PHILADELPHIA, August 15.

At a numerous and reſpectable meeting of the Citizens of Philadelphia and the Liberties thereof, held at Dunwoody's in the city of Philadelphia, on Tueſday the 13th inſt. for the purpoſe of fixing upon a ſuitable perſon to fill the IMPORTANT office of GOVERNOR, the following Reſolutions were unanimouſly adopted, viz.

Reſolved, as the ſenſe of this meeting, That it is eſſential to the honor and happineſs of Pennſylvania, and highly important to the beſt intereſts of the United States, that, at the enſuing election of governor of this commonwealth, the ſuffrages of our fellow citizens ſhould be given to a candidate who, combining the requiſites of talents and integrity with temperance of character and independence of connexion, will ably and faithfully execute the truſts of that high ſtation, who conciliating the particular intereſts of the ſtate with the general intereſts of the United States, will cordially cultivate the neceſſary intercourſe with the federal government; and who, having never avowed himſelf the partizan of foreign politics, will be at perfect liberty to purſue the excluſive advantage of his own country.

Reſolved, as the ſenſe of this meeting, That JAMES ROSS, of Pittſburgh, unites, in an eminent degree, the requiſites, expreſſed in the preceding reſolution to fill the high office of Governor of the commonwealth of Pennſylvania—and that this meeting being juſtified in their opinion by the uniform tenor of his private and public conduct, will give him their beſt ſupport at the enſuing election.

And whereas certain perſons, who are deſirous of impoſing another candidate on the citizens of Pennſylvania, far from imitating the laudable example which had been given by the friends of Mr. Roſs, of carefully abſtaining from all illiberality of opinion, have attempted their purpoſe by falſe and indecent inſinuations that their opponents are influenced by unworthy motives, and as ſilence, under ſuch cenſure, might be tortured into a conceſſion of its truth:

Reſolved, as the ſenſe of this meeting, that the correſponding committee heretofore appointed, be inſtructed to prepare an addreſs to our fellow citizens throughout the ſtate, on the ſubject of the election, wherein it ſhall deem it neceſſary or uſeful to defeat the projects of our antagoniſts, they ſhall be at liberty freely to examine and diſcuſs the merits of the oppoſite candidates, and the pretenſions of thoſe perſons, who thus ſtudiouſly attribute improper motives to the conduct of others, and that unawed by official character, or by any other conſideration, the individuals who compoſe this meeting will aid the examination and diſcuſſion, if they ſhall be rejoiced on, by ſuppoſing every neceſſary information, whether it ſhall tend to oppoſe the miſtaken or defects of the oppoſite candidate; or to illuſtrate and explain the character of thoſe individuals who ſtyle themſelves his ſupporters, and who have ventured, under their ſignatures to impeach the integrity of their opponents. And in addition to this information, (Mr. M'Kean's ſervices as a judge being much called on) it may be neceſſary to refort to the remonſtrances of juries, and the repreſentations of the bar, to expoſe his judicial tyranny and intolerance, or to the deliberate declarations of political wiſhes and opinions which if realized, would ſubvert the liberty, the religion, and the ſocial order of our country.

Or, in defending the pretenſions of thoſe men who have thus juſtly ſtigmatized their opponents, it may be neceſſary to recur to proclamations which have proſcribed ſome of them as TRAITORS—to examine dockets to have the moſt diſgraceful allegations againſt others—to inquire into the equivocal circumſtances which cloud the late coming of others of them to America, who like birds of ill omen, have made their appearance amongſt us ſince the revolution, and who now dare to queſtion the motives of men who hazarded all that was dear to them in eſtabliſhing the independence of America. The committee are reſolved to recriminate, to give to all the facts which they may ſtate, ſuch a form of action as will ſtamp conviction on the minds of whoever may peruſe them.

ROBERT WHARTON, *Chairman.*

The ſhip Diana, belonging to Meſſrs. Caton, M'Keon, and others, is one of thoſe inſtances of commercial enterpriſe, that have gained the Baltimore merchants reſpect in almoſt every quarter of the world. She is the firſt American veſſel that ever held commerce with the Spaniards of Monte Vida, in the river Plata. Fitted out at a large expence, and a very valuable cargo, ſhe was ſuppoſed, at firſt, to be the richeſt veſſel of her ſize that had left Baltimore for many years, and the friends of commercial enterpriſe; muſt feel a gratification in being informed, that ſhe has returned an immenſe ſum in *ſolid ſpecie.*

Pittsburgh, Auguſt 31.

In our laſt, we mentioned that one of the perſons killed by the Indians below the Muſkingum, was a Mr. M'Farlane, of Elizabeth Town, on the Monongahela—we ſince find, that our information was incorrect; it appears to be a Mr. M'Farlane who formerly lived in this town, but who for ſome years paſt has reſided in the ſtate Tenneſſee.

On the 23d inſt. between the hours of two and three o'clock in the morning, a perſon calling himſelf Samuel Johnſton, was brought before Juſtice Wilkins, apprehended in committing a burglary in the houſe of Mr. Thomas Bracken, in this Borough.

On examination, ſome ſuſpicions ariſing that this perſon was not a man, though habited as ſuch, a ſtrict ſearch took place, and it was diſcovered, that he was of the female ſex. All neceſſary precautions had been taken to prevent a diſcovery, and in which ſhe ſucceeded for a length of time, as appears by her confeſſion, viz.

"That ſhe was a married woman, and had five children, the oldeſt 18 years of age; that ſhe had worn mens' cloathing 5 years, and paſſed by the name of Samuel Johnſton; had worked and been ſeveral times in Pittſburgh, in the ſame cloathing; that her preſent place of abode was in the Forks of Yough, where ſhe paſſed for a weaver; that her connections and children were in Virginia, and that her name was Sarah Johnſton; that when ſhe was taken in Mr. Bracken's, another perſon called John Clark, was alſo in the houſe, but made his eſcape; that he had ſtole a ſaddle and bridle out of Mr. Crabb's tavern, and that he made his home about the black horſe tavern in the Forks of Yough, Turnbull's iron works, and Devore's ferry."

She is confined in the jail of Alleghenycounty, and it is ſuppoſed ſhe is connected with a gang of horſe thieves, and that their chain of conveying horſes to their connections in different parts of the United States, is through the Forks of Yough; therefore the inhabitants ought to be watchful of all ſuſpicious perſons.

Mr. SCULL,

I AM a ſubſcriber to *Iſrael's Herald of Liberty*—we have rare doings in that paper—not a week paſſes, but there is a column or two abuſing James Roſs, and as many more praiſing Chief Juſtice M'Kean, as a man of the moſt amiable manners, to condeſcending, ſo clever, and ſo firm a republican—indeed, if all is *true* that is ſaid of him, I think we ought to make him Preſident of the United States, and it is a doubt with me whether that is as much as he deſerves. As every man has a right to ſpeak theſe election times, I muſt beg leave to differ from Mr. Iſrael in his opinion of Mr. M'Kean, and I believe the people of this country will properly eſtimate Mr. M'Kean's *merit*, notwithſtanding all that is ſaid in his favor.

Mr. M'Kean is well known in this [illegible] he has been frequently here, and [illegible] familiar in every corner of it—not for [illegible] Jacobin, his conſiderations, and [illegible] but for his haughtineſs, his pride, and [illegible] tyranny.

Mr. Iſrael might as well try to make us believe that the moon is made of green cheeſe, as that Thomas M'Kean is a Republican—we have ocular demonſtration to the contrary, and [illegible] therefore determined to ſupport Mr. Roſs at the next election, conſcientiouſly believing that by [illegible] I am fulfilling a ſacred duty I owe to my country, as a free and independent [illegible] Allegheny County.

M'Kee's Port, Auguſt 26, 1799.

Special Meeting of the Board.
Lancaſter, Auguſt 19, 1799.

PRESENT,

Daniel Brodhead, S. G.
John Hall, Secretary,
F. Johnſton, R. G.
} Of the Land Office.

THE opinion of the attorney general on the claim of Major Joſeph Ashton for a patent for a Donation Tract of Land, No. [illegible], in the Second Diſtrict, to correct errors, being referred by the Governor to the Board—Ordered, that at leaſt five weeks notice be given in the Pittſburgh and Lancaſter papers, to a certain John Lovely, or any perſon or perſons claiming under him (who, it is ſaid, have improperly obtained a patent for the ſaid Land in queſtion under No. 183) to ſhew cauſe if any he or they have, why a new patent ſhould not iſſue to the ſaid Aſhton. The firſt Monday in October next is appointed for a hearing of the ſaid parties.

A true copy,

JOHN HALL, Sec. L. Office.

General Election.

PUBLIC NOTICE is hereby given to the Freemen living within the County of Allegheny, that an ELECTION will be held at the Court Houſe in the Borough of Pittſburgh, and at the ſeveral Election Diſtricts in ſaid County, on TUESDAY the 8th day of October next, when thoſe entitled to vote, are to chuſe,

One perſon for Governor of the State,
Two perſons for Repreſentatives in the State Legiſlature,
And, one perſon as County Commiſſioner.

Given under my hand this 28th day of Auguſt, in the year of our Lord one thouſand ſeven hundred and ninety nine, and in the twenty fourth year of the Independence of the United States of America.

EPHRAIM JONES, Sheriff.

Generous Wages,

WILL be given to a good journeyman COOPER, by *John Swan*, at the ſign of the Swan, in Second ſtreet, Pittſburgh.

He alſo wants an apprentice to the ſaid buſineſs. Auguſt 26, 1799.

CONCERT.

MR. Declary, and Miſs Sophia Wilſon, beg leave to inform the public and their friends, that they will have a Concert of Vocal and Inſtrumental Muſic, on Monday Evening next, the 2d of September, at Mr. Moore's Aſſembly Room. A gentleman will perform ſeveral Pieces on the Violin. The particulars will be expreſſed in the bills.

The Concert will begin at half paſt 7 o'clock.

Pittſburgh, Auguſt 31, 1799.

NEW-YORK, Auguſt 16.

HUZZA for the CONSTELLATION!

Extract of a letter from Captain Truxton, to a gentleman in this city, dated

"United States ſhip *Constellation*,
15th Auguſt, 1799.

"I ſend up by expreſs Mr. Kerr, my clerk, and muſt requeſt you will give him your aid in purchaſing for my private account all the articles per liſt annexed, and that they be ſent on board the Conſtellation in the ſhortſt time poſſible.

"You no doubt know that I have reſigned my commiſſion in the Navy, and the cauſe of my having done ſo. The Secretary has, however returned it to me, with a requeſt that I will proceed after the French 44 gun frigate taken by the Norfolk, in the event of Captain Barney not arriving before the ſhip is ready for ſea; and this I have conſented to do—for no perſonal injury which I feel ſhall ever make me leſs zealous in puniſhing the inſults and wrongs done to my country: whenever an opportunity of this preſents itſelf. I had landed all my baggage, and not expecting to go out in the ſhip, provided no new ſtore.—The few I have ordered will be ſufficient for the ſhort cruiſe contemplated; indeed I may meet Barron between the Capes and Sandy Hook, if he ſhould not arrive before: at all events I quit the ſhip on my return (for it is impoſſible that I can ſerve under the preſent arrangement of Navy) but what a gladneſs it would be, if in the mean time I ſhould meet another of the Monſieur frigates, and how gratifying at this moment it would be to my mind.

"Yours ſincerely, &c."

PHILADELPHIA, Auguſt 23.

The ENVOYS are, it is ſaid, gone to Iſle. Mr. Davy, of Georgia, has been ſent to the miniſter, in the ſtead of Patrick Henry deceaſed. Meſſrs. Ellſworth and Davy are to ſail from New-York, in the frigate or ſhip of war *John Adams.*

The College of Phyſicians, in a communication to the Board of Health yeſterday morning, give it as their opinion, that "a contagious malignant fever, ſimilar to that which raged the years '93 '97 and '98, at preſent exiſts in the city, and rages to an alarming degree."

general, one hundred dollars pay per month, and fifty dollars per month, which ſhall be in full compenſation for forage, rations and travelling expences: Of the purveyor, one hundred dollars pay per month, in full compenſation for his ſervices and all expences: Of the apothecary-general, eighty dollars pay per month, and thirty dollars per month in full compenſation for forage, rations and all expences: Of each of his deputies, fifty dollars pay per month, and ſixteen dollars per month in full compenſation for forage, rations and all expences: Of each hoſpital-ſurgeon, eighty dollars pay per month, and forty dollars per month in full compenſation for forage, rations and all expences: Of each mate, thirty dollars pay per month, and twenty dollars per month in full compenſation for forage, rations and all expences: Of each ſteward, twenty-five dollars pay per month and eight dollars per month in full compenſation for forage, rations and all expences: *Provided*, That none of the officers aforeſaid, ſhall be entitled to any part of the pay or emoluments aforeſaid, until they ſhall reſpectively be called into actual ſervice. *Compenſation and emoluments of the officers.*

Sec. 7. *And be it further enacted*, That for the accommodation of the ſick of the army and navy of the United States, the phyſician-general and hoſpital-ſurgeon of ſenior appointment, with the approbation of the general commanding the army within the diſtrict where he ſhall be, ſhall have power to provide temporary hoſpitals; and the phyſician-general, with the approbation of the preſident of the United States, ſhall have power to provide and eſtabliſh permanent hoſpitals. *Temporary and permanent hoſpitals may be provided.*

Sec. 8. *And be it further enacted*, That all the ſaid officers and others ſhall, as touching their ſeveral offices and duties, be liable to the rules and regulations for the government and diſcipline of the army; and ſhall be bound to obey, in conformity with law and the uſages and cuſtoms of armies, the orders and directions of the chief military officers of the reſpective armies, and within the reſpective diſtricts in which they ſhall reſpectively ſerve and be. *Rules to which the ſaid officers and others ſhall be ſubject, &c.*

Sec. 9. *And be it further enacted*, That the phyſician general, or in his abſence, the ſenior medical officer, with the approbation of the commander in chief, or commanding officer of a ſeparate army, be and hereby is authorized and empowered as often as may be judged neceſſary, to call a medical board, which ſhall conſiſt of the three ſenior medical officers then preſent; whoſe duty it ſhall be to examine all candidates for employment or promotion in the hoſpital department, and certify to the ſecretary at war the qualifications of each. *A medical board to examine candidates.*

JONATHAN DAYTON.
Speaker of the houſe of Repreſentatives.
JAMES ROSS,
Preſident pro tempore, of the Senate.

APPROVED—March 2, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXIV.

An ACT making additional Appropriations for the Year One Thousand Seven hundred and Ninety-nine.

SEC. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following additional appropriations for the year one thousand seven hundred and ninety-nine, shall be, and are hereby made; that is to say:

Specific appropriations.

For further expences in carrying into effect the fifth article of the treaty of amity, commerce and navigation between the United States and Great-Britain, twenty-five thousand dollars.

For the salaries, office rent, clerk hire and contingencies of the commissioners under the sixth article of the said treaty, and for the salary of their secretary, sixteen thousand dollars.

For enabling the President of the United States to defray the expences which have been and may be incurred under the act passed June the thirtieth, one thousand seven hundred and ninety-seven, entitled "An act directing the appointment of agents in relation to the sixth article of the treaty of amity, commerce and navigation, between the United States and Great-Britain," a sum not exceeding ten thousand dollars, in addition to the sum already appropriated for that purpose.

For the salaries of the commissioners under the seventh article of the said treaty, sixteen thousand six hundred and sixty-six dollars and sixty-seven cents.

For the salaries, clerk hire, office rent, and other contingencies of the two agents residing in England, on business relative to the said seventh article, nine thousand eight hundred and thirty-three dollars and thirty-three cents.

For further expences in carrying into effect the treaty of amity, navigation and limits, between the United States and Spain, twenty thousand dollars.

For making good deficiencies in former appropriations for carrying into effect the engagements of the United States with the Mediterranean powers, two hundred thousand dollars.

For satisfying claims, other than for registered debt, which may be allowed at the treasury of the United States, pursuant to the act, entitled "An act respecting loan-office and final settlement certificates," (in addition to former appropriations) the sum of thirty thousand dollars.

For the expences of intercourse with foreign nations during the present year, in addition to the sum of forty thousand dollars appropriated by law for that purpose, the sum of twenty one thousand dollars.

For the contingent expences of intercourse with foreign nations, the sum of seventy-eight thousand seven hundred dollars.

For the reimbursement of such reasonable advances of money as have been, or during the present year may be made

the conſuls of the United States, in affording relief to ſick and deſtitute American ſeamen in foreign countries, or in aiding them to return to their homes, twenty thouſand dollars.

For the expences already ariſen, or which, during the preſent year, may be incurred for the ſupport and ſafe keeping of perſons captured in French ſhips and veſſels, eighteen thouſand dollars.

Certain ſubjects of Algiers & Tunis to be indemnified.

Sec. 2. *And be it further enacted*, That the Preſident of the United States ſhall be, and hereby is authorized to cauſe to be paid to certain ſubjects of Algiers and Tunis, the damages ſuſtained by them from the capture or loſs of certain merchandize freighted on board of veſſels ſailing under the flag of the United States; and that fifty-one thouſand nine hundred and eighty-ſeven dollars, be appropriated for that purpoſe.

Damages and coſts to be paid to the owner of the ſhip Niger.

Sec. 3. *And be it further enacted*, That the Preſident of the United States ſhall be, and hereby is authorized and empowered to cauſe to be paid to the maſter and owner of the armed ſhip Niger, ſuch coſts and damages as have been or may be awarded againſt the United States, purſuant to the decree of the circuit court of the United States for the diſtrict of Virginia, for the capture and detention of the ſaid ſhip by the Conſtitution frigate; and that eleven thouſand dollars be appropriated for that purpoſe.

How the appropriations are to be paid.

Sec. 4. *And be it further enacted*, That the ſaid appropriations ſhall be paid out of any monies in the treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON,
Speaker of the Houſe of Repreſentatives.
JAMES ROSS,
Preſident of the Senate, pro tempore.

APPROVED, March 2, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXV.

An ACT to amend the Act, entitled "An Act regulating the Grants of Land appropriated for Military Services, and for the Society of the United Brethren, for propagating the Goſpel among the Heathen."

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the fourth ſection of an act, entitled "An act regulating the grants of land appropriated for military ſervices, and for the ſociety of the United Brethren, for propagating the goſpel among the Heathen," be, and the ſame is hereby repealed.

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Sec. 2. *And be it further enacted*, That all the lands fet apart by the firſt ſection of the above mentioned act, which ſhall remain unlocated on the firſt day of January, in the year one thouſand eight hundred and two, ſhall be releaſed from the ſaid reſervation, and ſhall be at the free diſpoſition of the United States, in like manner as any other vacant territory of the United States. And that all warrants or claims for lands on account of military ſervices, which ſhall not before the day aforeſaid, be regiſtered and located, ſhall be forever barred.

JONATHAN DAYTON,
Speaker of the Houſe of Repreſentatives.
JAMES ROSS,
Preſident of the Senate, pro tempore.

APPROVED—March 2, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXVI.

An ACT in addition to an Act, entitled "An Act for the more general Promulgation of the Laws of the United States.

Laws, &c. to be published in two or more newſpapers printed in each ſtate.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the ſecretary of ſtate ſhall, as ſoon as conveniently may be, after he ſhall receive any order, reſolution or law paſſed by Congreſs, cauſe the ſame to be publiſhed in at leaſt one of the public newſpapers printed within each ſtate, and whenever in any ſtate, the aforeſaid publication ſhall be found not ſufficiently extenſive for the promulgation thereof, the ſecretary of ſtate ſhall cauſe ſuch orders, reſolutions and laws to be publiſhed in a greater number of newſpapers printed within ſuch ſtate, not exceeding three in any ſtate.

Additional copies of the laws of ſeſſion to be printed and diſtributed.

Sec. 2. *And be it further enacted*, That in addition to the number of copies of the laws now required to be printed at the end of every ſeſſion of Congreſs, there ſhall be printed, under the direction of the ſecretary of ſtate, five thouſand copies; one copy whereof he ſhall cauſe to be delivered to each of the judges of the courts of the United States; one copy to the clerks of the ſaid courts reſpectively, for the uſe of the ſaid courts; and one copy to each of the diſtrict attornies and marſhals of the United States; the reſt to be furniſhed according to the rule for apportioning repreſentatives to the ſeveral ſtates, and ſent to the executives thereof, to be by them diſtributed according to the uſage of the ſtates reſpectively, as to their own laws, or according to ſuch laws of the ſtates reſpectively, as may be provided for the purpoſe.

Conſtitution and amendments to be printed.

Sec. 3. *And be it further enacted*, That the ſecretary of ſtate ſhall cauſe a copy of the conſtitution of the United States, and of the amendments which have been made thereto, to be added to each copy of the laws of the preſent ſeſſion of Congreſs, which is to be printed.

SEC. 4. *And be it further enacted*, That ſo much of the ſecond ſection of the act, entitled "An act to provide for the ſafe keeping of the acts, records and ſeal of the United States," as relates to the publiſhing the laws, orders, reſolutions and votes paſſed by Congreſs, in the public newſpapers, be, and the ſame is hereby repealed. *Part of former act repealed.*

JONATHAN DAYTON,
Speaker of the Houſe of Repreſentatives.
JAMES ROSS,
Preſident of the Senate, pro tempore.

APPROVED, March 2, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXVII.

An ACT giving eventual Authority to the Preſident of the United States to augment the Army.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled*, That it ſhall be lawful for the Preſident of the United States, in caſe war ſhall break out between the United States and a foreign European power, or in caſe imminent danger of invaſions of their territory by any ſuch power, ſhall, in his opinion, be diſcovered to exiſt, to organize and cauſe to be raiſed, in addition to the other military force of the United States, twenty-four regiments of infantry, a regiment and a battalion of riflemen, a battalion of artilleriſts and engineers, and three regiments of cavalry, or ſuch part thereof as he ſhall judge neceſſary; the non-commiſſioned officers and privates of which to be enliſted for a term not exceeding three years, and to be entitled each to a bounty of ten dollars; one half to be paid at the time of enliſtment, and the remainder at the time of joining the regiment to which they may belong. *In caſe of war or danger of invaſion an additional force may be raiſed.*

SEC. 2. *And be it further enacted*, That the Preſident of the United States be authorized, whenever it ſhall appear to him expedient, if during the ſeſſion of the Senate, with their advice and conſent, if in their receſs, alone, to appoint and commiſſion all officers for the ſaid troops, agreeably to the rules and regulations preſcribed by law for the military eſtabliſhment: *Provided*, That the general and field officers who may be appointed in the receſs of the Senate, ſhall at the next meeting thereof, be nominated and ſubmitted to them for their advice and conſent. *How the officers may be appointed.*

SEC. 3. *And be it further enacted*, That the officers, non-commiſſioned officers and privates of the troops which may be organized and raiſed purſuant to this act, ſhall be entitled to the like pay, cloathing, rations, forage and other emoluments, and to the like compenſation in caſe of diſability by wounds or otherwiſe, incurred in the ſervice, as the officers, non-commiſ- *Pay and emoluments to which the troops ſhall be entitled.*

To what rules they shall be subject.

tioned officers and privates of other troops of corresponding denominations, composing the army of the United States; and with them shall be subject to the rules and articles of war, and to all other regulations for the discipline and government of the army: *Provided*, That no officer, except captains and subalterns who may be employed in the recruiting service, shall be entitled to any pay or other emolument until he shall be called into actual service.

Proviso

The laws respecting the military establishment, to be in force in relation to them.

Sec. 4. *And be it further enacted*, That the laws of the United States respecting the regulations and emoluments of recruiting officers, punishment of persons who shall procure or entice a soldier to desert, or shall purchase his arms, uniform, clothing or any part thereof, and the punishment of every commanding officer of every ship or vessel, who shall receive on board his ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away any soldier, or refuse to deliver him up to the orders of his commanding officer; and the law respecting the oath or affirmation to be taken by officers, non-commissioned officers, musicians and privates; and respecting the inserting of conditions in the enlistments; and all other laws respecting the military establishment of the United States, excepting in such cases where different and specific regulations are made by this act, shall be in force and apply to all persons, matters and things within the intent and meaning of this act, in the same manner as they would were they inserted at large in the same.

The President may discharge them.

Sec. 5. *And be it further enacted*, That it shall be lawful for the President of the United States, at his discretion, to discharge the whole or any part of the troops which may be raised by virtue of this act, whensoever he shall think fit.

The volunteers may be organized.

Sec. 6. *And be it further enacted*, That the President of the United States be authorized to organize all such companies of volunteers as have been, or shall be accepted by him, pursuant to the act, entitled "An act authorizing the President of the United States to raise a provisional army," into regiments, brigades and divisions, and to appoint all officers thereof, agreeably to the organization prescribed by law for the army of the United States: And the said volunteers shall not be compelled to serve out of the state in which they reside, a longer time than three months after their arrival at the place of rendezvous.

Proviso.

For what purposes the volunteers may be employed.

Sec. 7. *And be it further enacted*, That it shall be lawful for the President of the United States to call forth and employ the said volunteers in all the cases, and to effect all the purposes for which he is authorized to call forth and employ the militia, by the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for these purposes.

Sec. 8. *And be it further enacted*, That it shall not be lawful for the President of the United States to accept a greater

number of the ſaid volunteers in any of the ſtates or territories of the United States, than is herein after apportioned to them reſpectively; *that is to ſay*; To New-Hampſhire, three thouſand; to Maſſachuſetts, ten thouſand; to Rhode-Iſland, one thouſand; to Vermont, two thouſand; to Connecticut, five thouſand; to New-York, ſeven thouſand; to New-Jerſey, five thouſand; to Pennſylvania, ten thouſand; to Delaware, one thouſand; to Maryland, five thouſand; to Virginia, ten thouſand; to Kentucky, one thouſand; to North-Carolina, ſeven thouſand; to Tenneſſee, one thouſand; to South-Carolina, four thouſand; to Georgia, fifteen hundred; to North-Weſtern Territory, one thouſand; and to Miſſiſippi Territory, five hundred. *Proportion of volunteers from each ſtate limited.*

Sec 9 *And be it further enacted*, That for the execution of this act, if it ſhall be found neceſſary to carry it, or any part of it into effect, there be appropriated the ſum of two millions of dollars, and that the Preſident be authorized to borrow, on behalf of the United States, the ſaid ſum, or ſo much thereof as he ſhall deem neceſſary (which the bank of the United States is hereby empowered to lend) and upon ſuch terms and conditions as he ſhall judge moſt advantageous to the United States. *Provided*, That ſuch terms and conditions ſhall not reſtrain the United States from paying off the ſum which may be borrowed, after the expiration of fifteen years. *Appropriation for the purpoſes of this act, and authority to borrow money.*

Sec. 10. *And be it further enacted*, That ſo much as may be neceſſary of the ſurplus of the duties on imports and tonnage, beyond the permanent appropriations heretofore charged upon them by law, ſhall be, and hereby is pledged and appropriated for paying the intereſt of all ſuch monies as may be borrowed purſuant to this act, according to the terms and conditions on which the loan or loans reſpectively, may be effected; and alſo for paying, by diſcharging the principal ſum or ſums of any ſuch loan or loans, according to the terms and conditions to be fixed as aforeſaid. *Certain duties pledged to redeem the loan.*

Sec. 11. *And be it further enacted*, That the powers by the firſt and ſecond ſections of this act veſted in the Preſident of the United States, ſhall ceaſe at the expiration of the ſeſſion of Congreſs next enſuing the preſent, unleſs they ſhall be by ſome future law, continued in force for a longer time. *Limitation of the powers given in the 1ſt and 2d ſections.*

JONATHAN DAYTON,
Speaker of the Houſe of Repreſentatives.
JAMES ROSS,
Preſident of the Senate, pro tempore.

APPROVED—March 2, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXVIII.

An ACT providing for the Security of Bail in certain Caſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in all caſes where a defendant, who

If a defendant hath procured bail to respond the judgment in a suit brought against him in any of the courts of the United States, shall afterwards be arrested in any district of the United States, other than that in which the first suit was brought, and shall be committed to a gaol, the use of which shall have been ceded to the United States for the custody of prisoners, it shall be lawful for, and the duty of any judge of the court in which the suit is depending, wherein such defendant hath procured bail as aforesaid, at the request and for the indemnification of the bail, to order and direct that such defendant be held in the gaol in which he shall have been committed a prisoner, in the custody of the marshal within whose district such gaol is, and upon the said order, duly authenticated, being delivered to the said marshal, it shall be his duty to receive such prisoner into his custody, and him safely to keep, and the marshall thereupon be chargeable, as in other cases, for an escape. And the said marshal thereupon shall make a certificate, under his hand and seal of such commitment and transmit the same to the court from which such order issued; and shall also, if required, make a duplicate thereof, and deliver the same to such bail, his or their agent or attorney, and upon the said certificate being returned to the court which made the said order, it shall be lawful for the said court, or any judge thereof, to direct that an exoneretur be entered upon the bail-piece, where special bail shall have been found, or otherwise to discharge such bail, and such bail shall thereupon accordingly be discharged.

If a defendant is committed by bail in one district, is committed in another the bail is discharged.

Duty of the marshal.

Sec. 2. And be it further enacted. That the marshal or his deputy, serving such order as aforesaid, shall therefor receive the same fees and allowances as for the service of an original process commitment thereon to the gaol, and the return thereof.

His fees.

Sec. 3. And be it further enacted. That in every case of commitment as aforesaid, by virtue of such order as aforesaid, the person so committed shall, unless sooner discharged by law, be holden in gaol until final judgment shall be rendered in the suit in which he procured bail as aforesaid, and sixty days thereafter, if such judgment shall be rendered against him, that he may be charged in execution, which may be directed to and executed by the marshal in whose custody he is. *Provided always,* That nothing in this act contained, shall affect any case wherein bail has been already given.

Defendant to be held until final judgment, &c.

This act not to affect cases where bail shall be already given.

JONATHAN DAYTON,
Speaker of the House of Representatives.

JAMES ROSS,
President of the Senate, pro tempore.

APPROVED—March 2, 1799.

JOHN ADAMS,
President of the United States.